

110TH CONGRESS
1ST SESSION

S. RES. 406

Urging the Government of the Kingdom of Saudi Arabia to overturn the sentence of the “Girl of Qatif”.

IN THE SENATE OF THE UNITED STATES

DECEMBER 14, 2007

Ms. COLLINS (for herself, Mr. BIDEN, Mrs. DOLE, Mr. COLEMAN, Mr. LIEBERMAN, Mr. LEVIN, Ms. SNOWE, Mr. JOHNSON, Mr. SMITH, Mrs. FEINSTEIN, Mrs. CLINTON, Ms. LANDRIEU, and Mr. SPECTER) submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

Urging the Government of the Kingdom of Saudi Arabia to overturn the sentence of the “Girl of Qatif”.

Whereas, in March 2006, the then-teenage woman known in media reports as the “Girl of Qatif” was abducted and raped by 7 men;

Whereas the “Girl of Qatif” endured significant physical and emotional harm as a result of her rape—a crime that was neither her fault nor acceptable under any circumstances;

Whereas, in October 2006, the General Court in Qatif, Saudi Arabia sentenced the 7 rapists to prison terms ranging from 10 months to 5 years, but also sentenced the victim to 90 lashes for being alone in a car with a man to whom she was not related;

Whereas, on November 13, 2007, when the “Girl of Qatif” appealed the decision of the General Court with her attorney, Abdul-Rahman al-Lahem, the victim’s sentence was increased to 200 lashes, a 6-month prison term was added, and the prison terms of the rapists were increased to 2 to 9 years;

Whereas, also on November 13, 2007, the General Court suspended Abdul-Rahman al-Lahem’s license to practice law, and he was summoned to appear before a disciplinary committee of the Ministry of Justice of Saudi Arabia on December 5, 2007, for allegedly “misrepresenting legal subjects through the media to confuse the judicial establishment’s image and thus harming the country”, but his hearing was postponed to an unspecified date;

Whereas, on November 20 and 24, 2007, the Ministry of Justice issued statements on the case of the “Girl of Qatif”, alleging that the victim was guilty of an “illegal affair” that is “religiously prohibited”, that she was in “an indecent condition” at the time of her abduction, and that “the main reason for the occurrence of the crime” was that the victim and her accompanying person “violated the provisions of Islamic law”, but Abdul-Rahman al-Lahem has denied these accusations;

Whereas, when asked about the case of the “Girl of Qatif” on November 20, 2007, Department of State spokesman Sean McCormack stated, “We have expressed our astonishment at such a sentence. I think that when you look at the crime and the fact that now the victim is punished, I think that causes a fair degree of surprise and astonishment. But it is within the power of the Saudi Government to take a look at the verdict and change it”;

Whereas, on November 27, 2007, the Foreign Minister of Saudi Arabia, Prince Saud bin Faisal bin Abd al-Aziz Al Saud, stated that the judiciary of Saudi Arabia would further review the case of the “Girl of Qatif”;

Whereas the Department of State’s 2006 Country Report on Human Rights Practices in Saudi Arabia (referred to in this preamble as the 2006 Country Report), released on March 6, 2007, cited “significant human rights problems”, including “infliction of severe pain by judicially sanctioned corporal punishments”, “denial of fair public trials”, “exemption from the rule of law for some individuals and lack of judicial independence”, and “significant restriction of civil liberties—freedoms of speech and press, including the Internet; assembly; association; and movement”;

Whereas the 2006 Country Report also stated that Islamic law, or Shari’a, prohibits abuse and violence against all innocent persons, including women, yet reportedly spousal abuse and other forms of violence against women were common problems, although the Government did not keep statistics on such violence and abuse;

Whereas the 2006 Country Report also cited complaints that “judges often acted capriciously and did not base judgments on precedent, leading to widely divergent rulings”;

Whereas the 2006 Country Report also stated that, “A woman’s testimony does not carry the same weight as a man. In a Shari’a court, the testimony of one man equals that of two women”;

Whereas the Universal Declaration of Human Rights, done at Paris December 10, 1948, stipulates that all human beings have the right to security of person, that, “All are

equal before the law and are entitled without any discrimination to equal protection of the law”, and that, “No one shall be subjected to torture or to cruel, inhuman, or degrading treatment or punishment”;

Whereas the legal system of Saudi Arabia is based on Shari’a and does not mandate specific punishments for many offenses, leaving judges with wide discretion in issuing verdicts; and

Whereas, in October 2007, the King of Saudi Arabia, Abdullah bin Abd al-Aziz Al Saud, issued a decree to reform aspects of the country’s judicial system, including new training for judges, changes to the appeals process, and the establishment of two supreme courts to replace the Supreme Judicial Council as the final recourse after courts of first instance and appellate courts: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) respects the sovereign rights of the King-
3 dom of Saudi Arabia;

4 (2) welcomes the commitment of the Govern-
5 ment of the Kingdom of Saudi Arabia to reform its
6 judicial system;

7 (3) condemns sexual violence in all forms;

8 (4) urges the Government of the Kingdom of
9 Saudi Arabia to undertake robust efforts to address
10 the significant problem of violence against women in
11 the society of Saudi Arabia, to promote equal treat-
12 ment of women in the country’s legal system, and to

1 ensure that victims of sexual violence are not pun-
2 ished for the crimes committed against them and
3 have access to and recourse through the country's
4 legal system to bring the perpetrators of such vio-
5 lence to justice;

6 (5) urges the Government of the Kingdom of
7 Saudi Arabia to overturn the sentence of the "Girl
8 of Qatif" of 200 lashes and 6 months in prison; and

9 (6) expresses solidarity with the "Girl of Qatif"
10 and the women of Saudi Arabia in their efforts to
11 address violence against women and attain equal
12 treatment in their country's legal system, and with
13 the many citizens of Saudi Arabia who were out-
14 raged by the sentence of the "Girl of Qatif".

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